



PROCEEDINGS
OF
The Central Advisory Committee
BHARATPUR STATE

(Meetings held on 25th & 26th August, 1939.)

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Proceedings of the Central Advisory Committee Meeting held on the 25th August 1939.

PRESENT.

President.

All Members.

President. Gentlemen, first of all, the orders given by the Council of State, on the Resolution passed by you in the session of this Committee, held in May last will be intimated to you.

C. A. C. RESOLUTION.

3. This Committee humbly advises the Darbar to appoint a Committee of official and non-official members with a view to examine the possibility of the introduction of hand made paper as a Cottage Industry in the State.

4. The Committee humbly advises the Bharatpur Darbar that principles of the Mutual Relief Fund Scheme are not only beneficial for the members of the Co-operative Societies, but also for the general public and therefore, in addition to the introduction of the scheme in the Co-operative Societies, the advisability of taking steps for making it applicable to the general public as well, be also favourably considered.

6. The Committee humbly advises the Darbar that a committee of 7 members consisting of 2 officials and 5 non-officials be appointed to make proposals after necessary enquiries to eradicate corruption from the public services of the State.

1. COUNCIL DECISION ON COMMITTEE'S RESOLUTION.

The Revenue Member's recommendation to appoint a Committee of the following:—

1. Mr. G. G. Phadke B. Sc. (Agricultural officer).
2. L. Nathi Lal.
3. B. Raj Bahadur M. A., B. Sc., LL. B.
4. L. Faqir Chand.
5. Mr. Pyare Mohan, B. Sc., LL. B.

to study the prospects of paper manufacture as a Cottage Industry in the State, is approved.

The resolution is accepted and it should be made clear that there is no objection to the formation of private associations for mutual relief provided that they register themselves as Limited Companies under the Companies Act.

The Council accept the Resolution in principle, but consider it advisable that the scope of the Committee should be limited at present to an examination of existing rules and regulations and methods of procedure with a view to limiting opportunities for corruption or bribery. They consider, further that all heads of departments should be called upon in the first instance to suggest any alterations they may wish in

the existing rules and regulations which might secure the object in view; and that when these reports have been received, a Committee consisting of 2 officials and 3 non-officials should be appointed to examine these reports and make definite recommendations.

7. The Committee humbly advises the Darbar that a committee of the following gentlemen be appointed for the purpose of submitting to the State, a scheme for expanding the activities of the Rural Reconstruction Department. (1) the Deputy Registrar, (2) the Agricultural Officer (3) Mr. Raj Bahadur, (4) Mr. Gokulji Verma and (5) Ch. Azmat Khan, Members of the Central Advisory Committee. It further requests the Darbar that two technical experts may also be added to the Committee.

8. The Committee humbly advises the Darbar that since the former is the representative body of the public, every contemplated new enactment, amendment or abrogation of law be referred to it for discussion and approval before it is enforced.

9. This Committee humbly advises the Darbar that it should be left to the option of the accused in customs cases, whether to have the case tried departmentally or through State Law courts.

The Council accept the recommendation but consider that the composition of the Committee requires alteration. The Revenue Member should therefore be asked to submit proposals for a revised composition as soon as possible.

The Council cannot undertake to consult the Central Advisory Committee regarding every proposal for new legislation or for amendment to the existing laws, but they will consult the Central Advisory Committee as far as possible regarding proposals of an important character.

The Council are not prepared to grant offenders an unqualified option to have all Customs cases tried by the Judicial Courts but they agree that smuggling cases involving penalties of more than Rs. 10/- may be heard by the Judicial courts if the offenders so wish. The Council direct that the resolution with these remarks may be referred back to the Central Advisory Committee for further consideration.

(II) Interpellations.

President. Answers to questions of which notice was given by several Members will now be given.

Interpellations.**Question.**

15. Lala Faqir Chand Kapoor. Is it a fact that a law was enacted sometimes ago according to which smoking by juveniles was made an offence?

Answer.

R. S. Pt. Moti Ram. An Act to prohibit smoking by children was issued on the 20th January 1928 from Ijlas Khas, but it appears that it was never put into operation.

16. Lala Faqir Chand Kapoor. Will the Administration kindly inform the house the number of the schools brought into existence since 1934 and the name of the villages in which the schools were established?

Rai Sahib Munshi Jugal Behari Lal, Director of Public Instruction. Since the financial year 1933-34, seventeen Primary Schools have been established in the following villages:—

(1) Ladamka	Tehsil	Pahari.
(2) Semla Kalan	,,	Nagar.
(3) Sehsan	,,	Pahari.
(4) Khanswara	,,	Nadbai.
(5) Khaisti	,,	Nagar.
(6) Papara	,,	Pahari.
(7) Satwari	,,	Pahari.
(8) Jalalpur	,,	Nagar.
(9) Khandeola	,,	Pahari.
(10) Kaithwara	,,	,,
(11) Ranp	,,	,,
(12) Kathol	,,	,,
(13) Milswan (transferred to Karai)	,,	Rupbas.
(14) Jhilpatti	,,	Kaman.
(15) Pathrali	,,	Pahari.
(16) Girls School at Nadbai.		
(17) Depressed Class at Bharatpur.		

N. B.—The Primary School at Sikri was raised to the Middle standard.

17. Lala Faqir Chand Kapoor. Will the Administration kindly inform this Committee the total expenditure upto date incurred by the State in dealing with the Satyagrah movement?

Lala Kundan Lal, Deputy Collector Bharatpur. The total expenditure incurred by the State in dealing with the Satyagrah movement up-to-date is estimated at between Rs. 7,000/- and Rs. 8,000/-.

Question.

18. Lala Faqir Chand Kapoor. Is it a fact that a metalled road with a bridge over Banganga was in existence from Uchain to Pingora Railway Station and has not been repaired since it was washed away. Will the Administration see to it and get the bridge rebuilt and road repaired?

19. Lala Faqir Chand Kapoor. Will the administration kindly inform this house about the total amount of money being realised yearly with the land Revenue from Rupbas tehsil for maintaining rural roads?

20. Lala Faqir Chand Kapoor. Will the administration kindly inform this Committee about the total amount of money spent in the current year in repairing roads in Rupbas tehsil and the place where roads were repaired?

21. Mr. Raj Bahadur Srivastava. Will the Administration be pleased to inform this Committee whether there is recognised definition of a 'bonafide resident of Bharatpur State' in use to serve as a criterion while making appointments to various posts in the State service. If so, what is the definition. Does a candidate or a State servant connected to a bonafide resident of the State (in true sense of the term) only through a female relative fall into the category of a bonafide resident of the State himself.

Answer.

Babu Raghbir Sahai, Supervisor of Works. There used to be a metalled road from Uchain to the Railway Station at Pingora with a bridge over the Uchain canal. It has not been remetalled for a long time. The bridge was very narrow and unable to discharge the full volume of water in the canal. It was therefore opened so that the water might pass freely. If the road were to be restored as a first class road the cost would be about Rs. 27,000/- and as a third class road, the restoration together with a bridge and causeway with necessary earthwork would cost Rs. 10,000/-.

The Council of State regret that they have no funds to spare for this purpose at present. In any case, there are many other roads of greater importance which are awaiting construction or metalling.

Lala Kundan Lal, Deputy Collector, Bharatpur. A sum of Rs. 101/8/- is realised every year for maintaining rural roads in tehsil Rupbas.

Lala Kundan Lal, Deputy Collector, Bharatpur. The total amount spent on service roads in the Rupbas Tehsil this year is Rs. 1,157. This was spent on the road from Bayana to Rupbas via Bareta and Paharpur, and on the road from Ajan Bund to Rupbas via Khanua.

Rai Sahib Pt. Moti Ram, Deputy Collector, Deeg. Under section 67 of the State C.S.R. a resident of the State means a person born and bred in the Bharatpur State or whose real father is employed permanently in the State. No one can be considered a bonafide resident of the State for the purpose of employment in the State unless the above conditions are fulfilled.

Question.

22. Mr. Raj Bahadur Shrivastava. Will the Administration be pleased to inform this committee whether the Industry of Manufacturing "Reed Chairs" was started some time back by a private concern on a large scale at Nadbai? If so, what led its failure? What are the prospects of the industry if it is started on a broad scale under State control?

23. Mr. Raj Bahadur Srivastava. Will the Administration be pleased to inform this Committee how far the literacy campaign organised recently by the Municipal Board, Bharatpur succeeded, what was the actual amount of money spent on the campaign, and in what manner was this money spent?

24. Mr. Raj Bahadur Shrivastava. Will the Administration be pleased to consider whether the privilege of free medical attendance from the Hospital Staff enjoyed by the Members of the Council of State can not be extended to other public servants?

25. Mr. Raj Bahadur Srivastava. Will the Administration be pleased to furnish the figures of average annual number of crimes, and the percentage of literacy in the State during:—

- (1) the last Minority Administration;
- (2) the regime of His late Highness;
- (3) the present administration.

26. Lala Nathi Lal Vaish. Why have the papers referred to in the committee President's remarks on the 31st March,

Answer.

Lala Kundan Lal, Deputy Collector, Bharatpur. A firm from Jaipur commenced manufacturing "Reed Mundhas" at Nadbai in 1937. It was not a large-industrial concern and it has now stopped work because it was not paying. "Mundhas" are still manufactured in several places in the State as a Cottage Industry. It would not be advisable to start a State Industry in competition with Cottage Industry.

Rai Sahib Munshi Jugal Behari Lal, Director of Public Instruction. The Board organised an Adult Literacy Campaign for a month from 15th June 1939 by establishing 11 centres at various places. Out of 294 students who joined the classes and appeared for the test, 252 came out successful as under:—

1st Class	95
2nd Class	39
3rd Class	118

Total	252
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The total expenditure amounted to Rs 195 only.

Captain M. N. Sardana, A. I. R. O. This question was considered a few years ago by the Council and they decided that there were good reasons for making no additions to the small list of Sardars and officials who are entitled to free attendance at their houses by the Medical Officers of the State. They see no reason to alter that decision now.

Rai Sahib Munshi Jugal Behari Lal, Director of Public Instruction. The information is given below:

Average annual No. of crimes.	Percentage of literacy.
1,071	3.23
1,055	3.38
945	5.30

Lala Kundan Lal, Deputy Collector Bharatpur. There was no promise to supply papers. Members were only informed that,

Question.

1939 not yet been supplied to the Members when asked for ?

27. Lala Nathilal Vaish. Is there any reason why the State requirements should not all be purchased from local firms in the State ?

28. Lala Nathilal Vaish. Can all the English announcements in the Raj Patra be accompanied by a Hindi version ?

29. Lala Faqir Chand Kapoor. Is it a fact that Panchayat Act No. 2 is in force but practical shape is not being given to it. If so, will the administration be pleased to give it a practical shape and introduce election system rather than nomination ?

Answer.

till a library was established, they could see papers in the Revenue Member's Office. The schedule which the Member who asks this question wanted to see, was shown to him. A copy, however, was not granted as it was never intended that copies should or could be given free of cost.

Lala Kundan Lal, Deputy Collector, Bharatpur. It is the policy of the State to purchase its requirements so far as possible inside the State. It is only when the requisite articles are not available in the State or can be procured more cheaply from outside that orders are placed with outside firms.

Lala Kundan Lal, Deputy Collector, Bharatpur. Announcements in the Raj Patra which are of interest to the general Public, are published in Hindi already. To publish all announcements in both the languages would involve a great increase of work and cost and cannot therefore be undertaken.

Lala Kundan Lal, Deputy Collector, Bharatpur. It is a fact that a Panchayat Act is in force in the State. The Panches and Surpanches are nominated by the Judicial Member in exercise of the powers conferred on him by sections 5 and 6 of that Act. Panchayats are in existence at the following places:—

1. Akhegarh (Nadbai).
2. Ajan (Kunher).
3. Nagar.
4. Sikri (Nagar).
5. Behaj (Deeg).
6. Khoh (Deeg).
7. Gopalgarh (Pahari).
8. Garhi Bajna (Bayana)

Steps are also being taken to establish Panchayats at other suitable places. If the people themselves were to show more interest in the matter, the question of introducing the elective principle might be considered.

III. Resolutions.

President. The first Resolution in the Agenda stands in the name of L. Durga Pershad who will now please move the same.

RESOLUTION No. 11.
Restoration of the old
agency for disposal of
Civil suits in place of the
existing one.

L. Durga Pershad. At present, civil suits of small value have ceased to be instituted in the Munsiff's Courts, as the cost of doing this comes to much more than what can be recovered if the claim is decreed. The plaintiffs have to experience great difficulties in instituting suits, besides a considerable time is required for this purpose. Think of a man coming from villages like Kaithwara (Pahari) etc. to Dig for instituting a petty suit. Similar is the case of the people in other parts of the State. They have to spend three days at least. What can the plaintiff expect to get if some three or four adjournments are given? This is the chief cause of small money suits not being instituted now. The creditors prefer to lose money. The State has to forego its Court-fees. The defendants too are not free from troubles. Small suits which cannot be decided by the parties mutually are therefore not filed in Courts, owing to their being far away. If such suits could be heard by the Tehsildars both the parties could be saved large expenses. Then again, there are certain cases which are false. In these the defendants are put to inconceivable inconvenience owing to the Courts being far away. The annual expenditure on these courts is between 7,000 and 8,000 per annum. If this work be delegated to the Tehsildars, this expenditure can easily be saved and the public would also be saved from considerable trouble. Expenses on postage have also gone high as all the Dak has to be sent by post. If according to the old practice civil cases were to be tried by Tehsildars, this expenditure could also be saved.

If in any case the Munsiff has to see the site, this means additional expenditure for the State. Kaithwara etc. being at a great distance from Dig this expenditure too is not negligible. On the other hand if the Tehsildars were to do this work then besides the distance they will have to travel being shorter they could fix dates on which they could also do other revenue or miscellaneous works in the village concerned.

Application for execution of a decree has to be submitted to the Munsiff while it is enquired into by the Tehsildars. This creates greater troubles and also enables judgement debtors to do away with their property. Then again, some objections raised are of such a nature which could only be enquired into more accurately and promptly by the officers on the spot than by the Munsiffs.

Taking in view all these difficulties and the troubles to which the litigants in civil suits are put, I move the resolution that "the Committee humbly advises the Darbar that the Courts of Munsiffs be abolished and their powers to decide civil suits be delegated to Tehsildars, as before".

Th. Chiranji Singh. I second the resolution.

L. Kundan Lal. The existing revenue work with Tehsildars is heavy and if civil case work is also entrusted to them they will not be able to cope with that and also to look after revenue work properly.

Hakim Abul Hassan. I have given due consideration to the proposal of my worthy friend and have exchanged views with regard to that with a number of persons whose opinion I am now expressing. I can only say that the resolution is not worth acceptance. This is the view held by the Zamindars and the money lenders, both of whom have to go to courts on this account. This is an open secret that when the civil work was taken from the Tehsildars, it was not taken as a temporary measure. This has received the fullest consideration of the State and it was as a result of their mature deliberation that new courts of Munsiffs were established. Why was this done? I do not wish to go into the details of this, for I am afraid, that by doing so I shall injure the feelings of those persons even who do not look eye to eye with me. I may however briefly say that the transfer of civil powers back to the Tehsildars will only lead to inefficiency both in revenue and in civil work. The latter of these is bound to pass on to the hands of clerks and will depend on their good will. This will consequently lead to delay in the disposal of civil suits, specially during crop inspection and revenue realization days. Fortunately we have amongst us, as the President of this Committee, one of the members of the Council which decided to establish separate Munsif Courts, and I will request him kindly to enlighten the house with the reasons which led to this decision. That would enable us to come to the right conclusion.

Friends, let us not forget that the world is going ahead and it is anticipated that Federation will be operative in the near future. Our State will also be a partner to it. Rightly or wrongly it is a general belief that Indian States are badly wanting in independent judicial courts. This was also mentioned a short while ago by His Excellency the Viceroy in one of his speeches. Every State is considering this problem. We should be thankful that we have got independent Judicial courts and it will only be a matter for regret if we propose to abolish these. Let us not prove to be foolish councillors and thus give a chance to our critics to make a laughing stock of us.

I fully realise the difficulties mentioned by my friend but the remedy suggested by him for their redress is not the one which he proposes. His proposals are not according to the needs of the time. We must make suggestions which may not look out of date. I would refer to some more points. I have been told by the money lender class that they do not get the interest as they used to get before. On the other hand the Zamindars say that the severity in the charging of interest has not diminished. The Boharas (Money lenders) have stated that formerly they could enforce attachment even in preference to the State's

charge on the produce for the land revenue but now this is not done and finally that dues of Cooperative Societies are another hindrance in the way of the recovery of their decrees. The Zamindars on the contrary say that instalments if fixed are not proper and that they can not pay the bank dues as well as the Bohras loans. The Bohras also complain that service of summons etc. is not done in time and the cases are postponed. The courts are situated at such a distance. There are of course numerous difficulties but the abolition of the courts will not be their solution. If the Zamindars and the Bohras have any grievances they should seek for the amendment of the laws. One thing can however be arranged. If the services of summons take time, the agency serving them should be changed. This work should also be entrusted to the Civil courts, as is the case in British India. The objection regarding distance is not valid as in other places the courts are rather at a greater distance. The question regarding income to the State is not worth consideration. The courts are not trading concerns. They are meant to impart justice and to preserve law and order.

I beg to be excused for having taken up so much time but the nature of the matter under consideration required this. I hope you would give the matter the deliberate consideration which it deserve and I am sure that if you do so, you will agree with me, that the resolution is not worth acceptance.

President. As put by the Hakim Ji, the primary concern of the State is to prevent frivolous litigation and to impart prompt and cheap justice rather than to make money out of the misery of its State subjects. The separation of the Revenue and civil courts was also effected to secure this end.

Mr. Raj Bahadur. None can deny the inconvenience caused to the litigants since the creation of the Munsiffs courts. This inconvenience is however, confined to the litigants belonging to the Tehsils other than those in which the courts are situated. Before the creation of these courts, residents of each Tehsil could seek relief more conveniently and consequently the income to the State from court fee was also comparatively higher. Mature deliberation should however be given to the causes which led to the abolition of the old system. You are all well aware that the Tehsildars are already over-burdened with revenue and criminal case work. In addition to this they are required to do a lot of touring. The transfer of civil work to them is therefore impracticable. The resolution is, therefore, not a fit remedy for the redress of the troubles and inconvenience pointed out by the mover.

It is also a popular public demand that the Judiciary should be separated from the Executive. To thrust the civil work on the Tehsildars, who are mainly Executive Officers, will therefore also go against this demand, and if we do so it will be a decided retrograde step. It will just be like travelling by bullock cart when one can avail of a motor car.

We should however, not forget the difficulties and expenditure of the distantly situated litigants and should therefore try to find out some method by which we may not be accused of going backwards and should at the same time be able to mitigate real difficulties. I therefore, move that the resolution may be amended as follows:—

“This Committee humbly advises the Darbar that with a view to remove the inconvenience, the public is at present experiencing in the institution and disposal of civil suits, the Munsiffs may be directed to hold their courts at different Tehsil head quarters by rotation.”

L. Faqir Chand. I second the amendment of Mr. Raj Bahadur.

L. Nathi Lal. I suggest that Panchayats be formed which should be authorised to dispose of money suits upto the value of Rs. 100 or Rs. 50.

President. Panchayats are already in existence and the question of increasing their number is under consideration but since the amendment has not been seconded, it has to be excluded from further discussion. The amended resolution of Mr. Raj Bahadur may now be voted upon.

The amended resolution as given below was passed by 26 to 2 votes.

“This Committee humbly advises the Darbar that with a view to remove the inconvenience the public is at present experiencing in the institution and disposal of civil suits, the Munsiffs may be directed to hold their courts at different Tehsil head-quarters by rotation.”

L. Faqir Chand. To solve the question of poverty among the masses is a difficult task for their well-wishers. Various Governments have given due consideration to this. Different prescriptions have been prescribed for relief from the fatal disease of poverty and some are still being suggested. Some say that the Land Revenue should be reduced while others are of opinion that money loans, free of interest, should be advanced to the cultivators. While still others advise that the Customs duty should be abolished. Some are of the opinion that the outstandings against the zamindars may be written off. There is no doubt that some of these proposals are quite sensible but none of these will have a lasting effect. A correct diagnosis is necessary to attain a complete cure. Without this the treatment is only bound to cause complications. The question under consideration at present is to find true causes of poverty of the masses in this State. Those who live amongst the rural people can easily find them. But for those who reside in large mansions or sit on chairs in offices, this is an impossible task, for being out of touch they can never come to the right conclusion. Their only source of information are newspapers and their views can only be based on the facts mentioned therein. If I should ask the Chief Medical Officer as to the cause of mass poverty he would at once say that they do not take a diet rich in vitamins, which means decreased vitality and decreased earning. If the Director of Public Instruction is consulted

RESOLUTION No. 12.
Enactment of a law to control the unnecessary and extravagant expenses in marriages and death ceremonies.

he would not hesitate to say that illiteracy is the cause of poverty for they cannot take advantage of the agricultural science. Similarly the Deputy Collector would urge that litigation is the source of poverty amongst the masses. These causes may be true to some extent but really speaking poverty itself is the greatest obstacle in allowing the masses to have proper food and education. In my opinion there are several reasons for their poverty but the chief of them are (i) high rate of interest charged by the money lenders; and (ii) extravagance on the occasion of the marriage and death ceremonies. Most of the debts are incurred for the sake of this extravagance. Debts and extravagance are therefore connected with each other. Extravagance is therefore the main cause of poverty. Hundreds of examples can be produced to show that well-to-do families have ruined themselves through this extravagance on marriage and death ceremonies. One who gets into debt once can hardly ever extricate himself from that. There is an old saying that "interest has a speed greater than that of a horse". It will not be wrong to say that in Bharatpur the speed of interest is "faster than that of an aeroplane even," for here the money lenders charge interest upto 50% p. a. even. You can therefore imagine that when such is the state of affairs how can a poor farmer extricate himself from the loans he has to incur and thus get rid of poverty. Those who have had dealings with money-lenders will bear this out and share my opinion. Should there be any doubts lurking in the minds of any one of you I am ready to give details. In the State the money-lenders do not have cash transactions only but in kind also. Cultivators who spend all their money in ceremonies have to borrow more for their maintenance and sowing of crops. If they borrow one maund of grain from a money-lender they get 2 seers per rupee less than the market rate and have to pay 2 seers per rupee more while repaying. The grain given contains 5 srs. to a maund of rubbish. The creditor charges interest at 2% per month on the loan advanced by him in kind. Taking for instance the market rate to be Rs. 2/8/- per maund the cultivator has, while selling, to give 15 seers of grain more which is worth to him -/15/- annas. In addition to this if the loan is retained for a year the interest on Rs. 2/8/- would come to about -/8/- meaning a total loss of Rs. 1/7/- i. e. more than 50%. Persons who pay interest at such a high rate are sure to be ruined in no time. This is thus the chief cause of their bad financial condition, which has grown so bad now that they cannot even provide themselves with enough food and clothes. It is really surprising that knowing that extravagance is the cause of all this they do not stop it. The reason is that social bonds force them to do so. The Darbar is doing much to save the people from debt and interest of the money-lenders but unless the extravagance is stopped success cannot be achieved. So I move that the Darbar be advised to enact a Law as soon as possible to stop this extravagance.

Subedar-Major Chiranji Singh. I second the resolution.

L. Durga Parshad. Those who realise the evil results of extravagance still use thrift, but if a law is enforced it will have a deterrent effect.

L. Baij Nath Prasad. I do not quite see what law can be framed? Poverty is well known but the cause of this is not only extravagance. There may be remote instances of extravagance having been the only cause of poverty but it is not a general truth. Any legislation on the subject will be limiting social liberty. We should, therefore, only give advice and not suggest framing of legislation on the subject.

Mr. Raj Bahadur. Will L. Faqir Chand please let me know what sort of legislation is desired by him, for on account of varied social and religious faiths legislation of an all-embracing nature could hardly be enacted.

L. Faqir Chand. I only mean that a Committee be formed to suggest laws on the subject and then the State may consider that law. Baroda, Indore and Sind have got such legislation and the United Provinces is also contemplating to enact one.

Mr. Raj Bahadur. The resolution as read out by L. Faqir Chand does not include formation of any Committee. I do not understand how this has crept in now. The expenses incurred in connection with marriage or death ceremonies have social and religious obligations which we cannot disregard. Will L. Faqir Chand, therefore, clearly let the house know what he wants, whether a legislation or a Committee to form legislation.

L. Faqir Chand. A Committee of 2 officials and 3 non-officials may be formed out of this house.

Th. Sher Singh. There is no question of religion in L. Faqir Chand's resolution. I have seen instances where expenses go far beyond the strings of the purse. These must be reduced.

L. Baij Nath Prasad. L. Faqir Chand's aim is to reduce the expenditure on social occasions but if any legislation is framed with regard to this, will different limits be provided for persons of different status?

L. Faqir Chand. I have already said that people of towns cannot realise our difficulty. Let them come and live for a time in villages and then they will realise what I mean (laughter).

Subedar Major Chiranji Singh. Since there are different communities in the State reference must be made to all such communities and their views ascertained if they agree to any legislation regarding this matter.

Th. Maharaj Singh. I agree with Subedar Major Chiranji Singh.

Pt. Ganeshi Lal. I also agree.

President. The question of curtailing expenditure on social occasions of marriages and deaths received the consideration of the Council in 1930-1931. In order, however, to ascertain popular view on the question of checking this economic waste, Panchayats of every community were formed and were asked to give advice as to the limit of expenditure they considered proper to be incurred on each occasion. Their recommendations were duly considered by the Council and approved to be incorporated in the Bye-laws of Co-operative Credit Societies. It was also provided in these Bye-laws that if any member

of a Society borrowed money for social occasions from any outside agency in addition to the money advanced by the Co-operative Department then the latter would be recovered in a lump sum. The real intent of this was to limit the expenditure. Religious ceremonies though forming a most essential part of the event never really cost much and the limits of expenditure laid down provide amply for meeting these in every case. Many Members of Co-operative Societies have availed themselves of the loans granted under the above conditions. It may also be made clear that legislation if enacted would be applicable to social occasions occurring within the State. Mr. Faqir Chand has said that legislation has been framed in Baroda and Indore. Jodhpur has also enacted legislation recently, but local conditions differ everywhere and the question requires careful consideration.

The view of Subedar Major Chiranji Singh is that in order to ascertain the necessity of such a legislation being framed, public opinion be invited.

L. Baij Nath Prasad. I put an amendment to the resolution of L. Faqir Chand that a Committee be formed out of the Members of this house to make recommendation if legislation can be framed to fix limits for expenditure on social functions of marriages and deaths of the different communities.

Mr. Raj Bahadur. There is no denial of the fact that expenses beyond means are incurred on the social functions. But before any legislation could be recommended to be brought into existence we must make sure what form it should take? I therefore, second the amendment of L. Baij Nath Prasad, that a Committee be selected out of the members of this House to make necessary recommendations to the house regarding this proposal.

Th. Maharaj Singh. In every community such committees exist which have already decided what the expenses on marriages and death ceremonies should be. These Committees may be consulted as to what their rules in this respect are and then these may be considered by the Tehsil Advisory Committees and finally sent to this house.

Mr. Raj Bahadur. The Committee proposed to be formed can consider all that.

Subedar Major Chiranji Singh. The matter may be referred to the Tehsil Advisory Committees.

Pt. Ganeshi Lal. This will only delay the matters.

Subedar Major Chiranji Singh. "Justice delayed is not justice denied".

President. The amendment proposed by L. Baij Nath Prasad and seconded by Mr. Raj Bahadur is that a committee be formed of the members of this House to make recommendations, if legislation can be framed for prescribing limits of expenditure on social functions like deaths and marriages in different communities.

What should be the number of members on the committee?

L. Faqir Chand. 5 (Five).

Mr. Raj Bahadur. I suggest there should be 7 members.

Subedar Major Chiranji Singh. 7 & 9 are ominous figures. Let the number be 10. (Laughter).

Ch. Azmat Khan. I agree with Subedar Major Chiranji Singh.

Mr. Raj Bahadur. The members to form this committee may, I propose, be nominated by the President of the House.

Ch. Azmat Khan. I agree with Mr. Raj Bahadur.

L. Faqir Chand. The Director of Public Instruction may be made President of this Sub-Committee.

R. S. M. Jugal Behari. I regret I cannot accept it as I have conscientious objections to legislation in social matters.

The amendment of L. Baij Nath with the specification of Subedar Major Chiranji Singh regarding the number was put to the vote and passed by 22 to 6. The committee therefore adopted the following resolution.

"This Committee resolves that a Sub-Committee of ten members from this house be formed to examine and report whether it will be feasible to frame legislation for controlling expenditure on Social events like death or marriage ceremonies and that the President of the Committee may kindly nominate the members for this purpose."

RESOLUTION No. 13
Appreciation of the
patience and forbearance
shown by the Police and
higher authorities, on an
act of mob violence
committed at Deeg.

L. Faqir Chand. I may be permitted to withdraw this resolution as my impression that the matter had been settled has not been found to be correct and I understand that the cases arising out of the incident at Deeg are still subjudice.

President. Yes, it may be withdrawn with the consent of the house.

There was no objection and the resolution was allowed to be withdrawn.

RESOLUTION No. 14.
Adequate measures to
be adopted by the Muni-
cipal Board, Bharatpur
for dealing with out-
breaks of fire.

Mr. Raj Bahadur. From the reply to one of my questions in the last meeting (No. 14) you would have learnt how large the number of fires that break out accidentally every year in the City is and what enormous loss is caused thereby. Hundreds of houses are reduced to ashes and the families residing therein are utterly ruined. I was considerably surprised by the information given to me that the responsibility for controlling fires rested primarily with the Police and that the Municipality rendered whatever help it could. This is primarily wrong in principle, for the Police have multifarious duties and may therefore, not be able to devote the attention which such a serious nature of the work demands. Everywhere else, the Municipal Boards, which tax the inhabitants, are responsible for controlling and extinguishing accidental outbreaks of fire within their limits and the Police only gives whatever assistance it can. I do not quite see why the Municipality here should shirk from its duty and responsibility.

The danger from fires is not one to be trifled with and adequate arrangements should be made to combat the same. For this purpose the Municipality should provide a fire engine and a fire brigade, etc.

Regular training should be given to persons in the method of extinguishing fires. I therefore move that as the primary responsibility for the control of fire outbreaks in the Bharatpur City rests with the Bharatpur Municipal Board, the Darbar may be advised to direct the said Board to equip themselves with fire-engines, fire brigade and other fire extinguishing appliances.

L. Nathi Lal. I second the Resolution of Mr. Raj Bahadur.

Capt. M. N. Sardana. Is the resolution intended for the control of fires within the City limits only or throughout the whole State.

Mr. Raj Bahadur. The resolution is for the Bharatpur Municipality only.

L. Durga Pershad. Losses caused by fire in villages are far heavier than those caused in the City. The number of conflagrations too is larger in villages than in the City, for in the former, there are generally houses with thatch roofs and all the property of the villagers is stored under these. It is therefore all the more essential that adequate arrangements should also be made as soon as possible for safeguarding life and property of villagers.

President. The resolution under consideration relates to arrangements for controlling fires within the Bharatpur Municipal limits only. Separate resolution may, if desired, be moved with regard to villages.

Bakhshi Raghunath Singh. Villagers do not lack in mutual human sympathy. If there is any fire people of tens of villages in the neighbourhood hurry to the spot to render whatever help they can. Let the City people make all these arrangements for themselves.

Capt. M. N. Sardana. The Resolution has a very limited scope. In villages losses are severer and number of villages are reduced to ashes by conflagrations. I therefore, propose that a Central Fire Brigade may be established to the cost of which all should contribute. The headquarters may be at Bharatpur and necessary training given there. We should not scatter our resources by having fire engines and fire brigades for each Municipality or District Board. Besides I think fire engines can not work at Bharatpur. In quarters which are far away from the Fort moat, it will be almost impossible to work these engines, for generally in such parts wells too are scarce.

Subedar Major Chiranji Singh. I agree with the Chief Medical Officer. A separate brigade be formed and persons given necessary training. These persons will work in Topkhana (Artillery) which may shortly be established and will extinguish fires as well. This will also open an avenue for employment.

Hakim Abul Hassan. I think people should be asked to have Pucca houses so that there may be left no danger from fire, and for this purpose loans may be advanced. This is not impracticable. For instance I may say that in a town in this State known as Bhusawar

there are Multani or weavers. In a Panchayat these people have decided that every member of the tribe should have a Pucca room on the pain of ex-communication in case of default.

Subedar Major Chiranji Singh. Villagers have not got sufficient even for food. Wherefrom will they get to build Pucca houses?

President. If a Central Fire Brigade is established for the use of the whole of the State, it will not be of much utility, for there are number of villages at such a great distance from here that it will be impossible to get information of the accidents and to send help in time. I may however, inform the house, that under existing rules, each village is required to keep a number of earthen pots filled with water and some *Dangis* (Scythes attached to bamboo poles) for pulling down thatch roofs. These things are for all practical purposes more serviceable to villagers than distantly placed Fire Brigades would be. Our proposals should be practical. As for the scarcity of water in certain quarters of Bharatpur referred to by Captain Sardana I may say that there are fire engines which can work without water, with the aid of special chemicals e. g. Minimax and other preparations. The Municipal Committee could therefore study the problem and make necessary arrangements for its own requirements only.

Captain M. N. Sardana. I was not aware of the fact that the villages are required to keep fire extinguishing equipments. Since it is so, the proposal can be limited for the present to Bharatpur City only.

Subedar Major Chiranji Singh. I agree with the Doctor Sahib. For the villages common *Charas* and *Barl* can be purchased for such calamities if required.

L. Baij Nath Prasad. Since I am a member of the Board I may say that if the Board is required to keep fire-engines and fire brigade a recommendation may also be made to the Darbar to advance necessary funds to the Board for this purpose.

B. Raghubir Sahai. I agree with L. Baij Nath Prasad.

President. The house is not in a position to make any definite recommendations in this connection as it has no knowledge of the resources at the disposal of the Board.

(The resolution as given below was put to the vote and carried by 16 to 12 votes).

"This Committee resolves that primary responsibility for the control of fire out-breaks in the Bharatpur city rests with the Bharatpur Municipal Board, and therefore humbly advises the Darbar to direct the said Board to equip themselves with fire-engines, fire brigade and other fire extinguishing appliances and also requests that gradual steps may be taken to provide such preventive means for the rest of the State also."

The meeting was adjourned till 3 P. M. for lunch.

Mr. Raj Bahadur. The broad principle on which my resolution is based, is the recognition of the unquestioned and unsurmountable right of the citizens of a State to all appointments in the services of that particular State. Undeniably this principle is universally recognised all the world over. For instance the bonafide residents of Jaipur will alone be entitled to be employed in Jaipur State and none other. This is true of all other Indian States and British Indian Provinces too.

RESOLUTION No. 15.
Employment of bonafide residents of the State in State services.

Not only is this principle recognised in theory but it is definitely put into practice with the utmost severity everywhere. Consequently if even the most capable citizen of this State of ours seeks an employment in any other State or Province he will merely be crying for the moon. It is to be regretted however, that this universally accepted principle has not been adhered to in Bharatpur with the strictness that it deserved. As a natural sequence of this we notice today that a majority of higher appointments in the State services is held by outsiders or more precisely persons who are not bonafide residents of the State.

At the very outset, I want to assure you that by this resolution I mean to make no personal attacks of any sort on any officer or other public servant, nor in fact I intend to dwell upon any individual case. I mean simply to assert humbly a principle which is recognised and put into practice in every portion of the sphere to which human civilization has extended. This resolution is hence a mere expression of the modest aspirations of Bharatpurians, as also the voicing and nothing more of a keenly felt legitimate grievance of theirs.

Without any fear of contradiction I may point out, that the signs of unrest at present visible, in our beloved State are to a certain extent due to the fact, that every Bharatpurian painfully notices that while qualified bonafide residents of the State fail to secure appointments which they rightly could, the doors of employment to such appointments are open for outsiders, who do not possess even a semblance of the right of residence here. One can easily imagine the helplessness and utter disappointment of a young man who having been born and bred in the State and having adequately qualified himself, finds that the doorway of employment in other States and provinces of India is banged against him while when he turns to the State of his birth he finds his rights superseded by persons coming from the very States or the very Provinces which refused to give him shelter. He is left to the mercy of his fate—a ship without moorings.

Now when the question of domicile is so strictly observed elsewhere that even certain schools and colleges are closed for our youngmen, it will be disquieting indeed for the public of this place if the rigour of the rule of residence is not fully maintained in our State.

There is an essential ingredient in human nature which directs one's affinities and sympathies in various degrees of priority towards his fellow beings. One feels for his kith and kin first, then for his neighbours and then for his fellow citizens of the State and so on. It is therefore, quite natural for those who come from other States or

Provinces to have a greater affinity or sympathy for the people of their own State and Provinces than for us. It is so because they are not gods and at any rate we are not prepared to believe that they will shake off this human weakness of theirs from their nature easily. Bharatpurians therefore quite naturally do not look at the outsiders with the same spirit of confidence and trust, which is so essential to maintain a peaceful atmosphere, as they would look at their own fellow residents of the State.

Another general complaint is that the local talent is valued at a discount in comparison to the outside talent. Whereas a local graduate has been seldom offered a salary of more than 25 or 30 there are instances of graduates with hardly any superior mettle, coming from outside, who have been offered Rs. 80 or even Rs. 125. In a certain case the starting salary of Rs. 125 advertised for a post was reduced to Rs. 80 because a local hand was found available and the minimum salary was converted into the maximum.

Outsiders have been appointed even in the Army, for which no special qualifications excepting a sound physique are requisite—a fact in which, I can say with entire confidence, Bharatpurians can never be found lacking.

I believe that in the light of what I have stated it is not difficult to realise that such things are bound to create unrest in the public and it is with such things that unhealthy agitation is fomented.

Lately, of course, we have noticed with a sense of gratefulness and satisfaction that a definite orientation of the State policy has taken place as a result of which local people have been given some chances but that things should be mended further no one can doubt. In order to restore confidence in the State subjects; in order to breathe a new life into their morbid existence; in order to establish a complete relationship of father and son between the Ruler and the Ruled and in order to ensure a lasting peaceful atmosphere in the State not only is the employment of bonafide Bharatpurians in all appointments in future necessary, but a rapid replacement of outsiders, at present in the service of the State by the bona-fide residents of the State is indispensable.

I believe that there is no dearth of qualified and capable men to fill all appointments in the State service excepting a few posts of a technical character for which our own men could be trained.

I therefore, commend my resolution to you and appeal that we should all combine our efforts to make the future of Bharatpur glorious by voting unanimously for the following proposal:—

“This Committee recommends to the Darbar that the policy of the Darbar should be to employ *bonafide* residents of the State in place of persons who are not *bonafide* residents, in all appointments for which qualified *bonafide* residents of the State are forthcoming; and to adopt some effective measures to give

a practical shape to this policy ; one of such measures will be to employ qualified local hands in place of persons who are not *bonafide* residents as soon as the term of office of the latter expires."

L. Durga Pershad. I second the resolution.

L. Baij Nath Prasad. I submit two amendments:—

- (i) Word 'Ordinarily' be added before the words "qualified *bonafide* residents....."
- (ii) *Bonafide* residents should be sent for training for responsible technical posts.

Ch. Sardar Singh. I second the amendments.

President. The term *bonafide* resident has already been defined today in the House in answer to question No. 21 and will I presume have the same meaning in this Resolution. It may also be stated for the information of the Committee that since the commencement of this administration the following number of State subjects have been sent for technical training:—

1. Medical	2
2. Engineering	2
3. Forest	6
4. Jail	1
5. Accounts Office	1
6. Veterinary	1
7. Police	9
8. Education (Teachers)	5
9. Industries	8
10. Revenue	1

L. Baij Nath Prasad. As my friend Mr. Raj Bahadur has said local people are not given posts while outsiders are appointed on these. This is a set back to education itself as after incurring all the expenses on education when one is not given a chance he is naturally disappointed. Outsiders can not have the same sympathy for us as local people will have. There is one more disadvantage in employing outsiders. If any of them makes a misuse of his service and absconds no action can be taken against him, while if he were a local man all his ancestral property would be left at the disposal of the State. Then again the interest of the outsiders here is to make money and go away. There are instances of people having earned money here and making large houses outside. Besides all this outsiders have to be paid higher salaries, say Rs. 1,000 or even more, when we can have local talent comparatively cheaper. The Chief Engineer is getting Rs. 1,800 while our equally qualified local man Mr. Shiam Lal Gupta could come here on Rs. 500 or so.

Mr Raj Bahadur. I accept the amendments put forward by L. Baij Nath Pershad. Appointments should invariably be given to the *bonafide* residents of the State. By ordinary qualifications it is

meant that if for a post an ordinarily educated man is required preference should not be given to an outsider even though he may be a B. A. or an M. A.

Capt. M. N. Sardana. Although I am not against this resolution, but I must say that rules already exist regarding this in the State Civil Service Regulation. I therefore do not see the necessity of moving this resolution. Since I belong to a technical department I lay emphasis on necessary qualifications being available in a candidate. A compounder cannot be appointed as a Doctor. A Sub-Assistant Surgeon only can be appointed as a Sub-Assistant Surgeon. I think therefore it will suffice that the attention of the Council of State may be drawn to the rigid following of the rule.

Mr. Raj Bahadur. Will the Chief Medical Officer kindly refer to me the article of the C. S. R. he has mentioned.

Captain M. N. Sardana. Article 67—Bharatpur State Civil Service Regulations.

Mr. Raj Bahadur. The word therein is preference. I have no faith in this word. I mean that bonafide residents should be appointed invariably.

President. Is the word "invariably" mentioned in the resolution.

Mr. Raj Bhadur. The words mentioned there are "all appointments". Had any preference been given so far would really not have been any necessity to move this resolution. The Doctor Sahib has probably not realised the true purport of the resolution. By "ordinary qualifications" I never meant that a compounder may be made Chief Medical Officer or a petition writer a Sessions Judge. I mean to say that if for a post a Sub-Assistant Surgeon is required and a local hand is available for that then an outsider M. B. B. S. should not be appointed to it. Similarly if a post requires an LL. B. it is not necessary to appoint an outside Bar-at-Law to it. The analogy put forward by the Doctor Sahib does not hold good. It is therefore strongly urged that local hands should be appointed on posts now filled up by outsiders as soon as the term of the latter expires.

Th. Sher Singh I am strongly of the same view.

The amended resolution as given below was put to the vote and passed by 21 to 7 votes.

"This Committee humbly recommends to the Darbar that the policy of the Darbar should be to employ *bonafide* residents of the State in place of persons who are not *bonafide* residents of the State, in all appointments for which ordinarily qualified *bonafide* residents of the State are forthcoming; and to adopt some effective measures to give a practical shape to this policy; one of such measures may be to employ qualified local hands in place of persons who are not *bonafide* residents as soon as the term of office of the latter expires. It also advises the Darbar to send candidates from *bonafide* residents of the State for training for responsible technical posts."

Mr. Raj Bahadur. In moving this resolution I may explain at the outset that it is not intended to alter any religious principle or practice, nor is it intended to bring about any change in the remotest degree in the worship of the idols or the maintenance of the temples, and therefore my resolution could be considered by the Committee without infringing rule 6 of the constitution. The only purpose with which I have placed this resolution for your serious consideration is to utilise the amount granted by the State for public purposes to its best advantage. But this does not mean that any alteration would be made in the manner or form of expenditure as far as the worship of deity or other necessary expenses are concerned. It is widely felt and rightly too, that the amount allotted in the State budget for many important temples is much more than what is required for their adequate maintenance. Now it is the surplus that can be easily obtained from the aforesaid amounts given to the various temples which we want to use to a greater benefit of the society at large. I hope you will all agree with me that instead of amassing wealth in the temples it will be much better if the needy or the helpless may profit by it. In fact in times of yore our temples were the centres of culture and spiritual training of the people; but with the development of modern nations they have lost this utility. It is therefore that we find that out of the grants sanctioned for the various temples for their maintenance, they can save a considerable surplus after meeting all adequate expenses on the worship of the deity, on the repairs of the temple, on servants and other necessary objects.

Now will it not be befitting if we make a much more profitable use of this surplus, such as opening work-houses for the needy and physically unfit members of the society, establishing centres of training in crafts, cottage industries for the unemployed and for education or social uplift. We can think out subsequently other useful schemes that may be financed by this surplus.

I hope it is quite obvious to us all here that the resolution does not at all hit the interest of any individual or community nor does it strike at the foundations of any established religious practice or convention. It is simply a plea for application of the surplus money for the good of the public. It is in this light that I commend the following resolution to you for your unanimous acceptance :—

“This Committee recommends to the Darbar that the amount allotted for the maintenance of temples and other charitable purposes, should after meeting the necessary and adequate expenditure on purposes of religious worship etc. for which it is primarily meant, be spent on objects of public utility like Work-houses, Centres of training in various crafts and industries, Social uplift, Education and other useful works. This Committee further recommends that a board consisting of officials and non-officials be set up to advise the Darbar, and to work out the various projects and schemes under the supervision and control of the Darbar.”

RESOLUTION No. 16.

Proper use of the charitable funds of the State provided for the maintenance of temples after meeting the adequate expenditure and thus appointment of a Committee for advising the Darbar in the matter.

L. Nathi Lal. I second the resolution of Mr. Raj Bahadur.

President. We cannot discuss any religious matter as that is beyond the scope of this house, but Mr. Raj Bahadur has clearly stated that his resolution does not effect or even touch any faith or religion in any way. It only aims at proper utilisation of the surplus money of the temples and may therefore be taken up.

Subedar Major Chiranji Singh. We should not contemplate to take back what has been dedicated by our late Rulers in charity. Surplus, if any, should be used for the amelioration of the condition of the lame, blind or crippled. The amount dedicated should at any rate not be attempted to be cut.

Mr. Raj Bahadur. I never meant that any grant should be cut. There is no question of reduction in or cessation of any grant. The point for consideration is that the savings effected after meeting all the necessary expenses of the temples should be used on objects detailed by me.

Thakur Sher Singh. I wish to enquire as to how the savings will be determined.

Mr. Raj Bahadur. As would be clear from the Resolution I have put in that I have suggested the formation of a committee which will look into the accounts and then submit its recommendations to the Darbar.

L. Durga Prasad. The Resolution of Mr. Raj Bahadur requires no further clarification, comment or amendment. It is expressly mentioned therein that it will have no effect on any community, faith or religion.

The resolution given below was put to the vote and passed by 25 to 3 votes.

"This Committee recommends to the Darbar that the amount allotted for the maintenance of temples and other charitable purposes, should after meeting the necessary and adequate expenditure on purposes of religious worship etc. for which it is primarily meant, be spent on objects of public utility like Work-houses, Centres of training in various crafts and Industries, Social Uplift, Education and other useful works. This Committee further recommends that a board consisting of officials and non-officials be set up to advise the Darbar, and to work out the various projects and schemes under the supervision and control of the Council of State."

Adjournment of the Meeting.

The meeting was then adjourned till the following day, 26th August 1939.

Proceedings of the Session of the Central Advisory Committee held on the 26th August, 1939.

PRESENT.

The President.

All the Members.

President. L. Baij Nath Prasad may kindly move his resolution asking for repeal of the Criminal Law Amendment Act of 1937.

L. Baij Nath Prasad. As some of the State Officers have canvassed strongly against my resolution I may, if permitted, move it in amended form. I propose now to urge for the repeal of section 3 (Chapter 1), Section 10 clause (ii) b and Sections 11 & 12 of Chapter V and also that in Chapter III the word 'of a political character' may be added after the words 'public meeting' wherever they occur.

RESOLUTION No. 17.
Repeal of Criminal Law
Amendment Act of 1937.

L. Faqir Chand. This is a serious allegation. Are we so weak-kneed as to be influenced by State officials. I protest against these remarks and request the President to ask the mover to withdraw the same.

Capt. M. N. Sardana. Are the accused State Officers Members of this house?

L. Baij Nath Prasad. I fear they are.

Capt. M. N. Sardana. I want to know the names of the members against whom this allegation has been made.

L. Baij Nath Prasad. I do not wish to disclose the names.

Capt. M. N. Sardana. Then he must withdraw his allegation.

L. Baij Nath Prasad. These words be left out of account then but I may be permitted to move the amended resolution.

President. You have to show that you can do so according to the constitution.

L. Baij Nath Prasad. Is it meant that the question be taken up in the next session?

President. No, if you can show that your proposal is in order.

L. Faqir Chand. I wish to know whether L. Baij Nath Prasad has a right to move such an amended resolution without notice? If not, he must adhere to the rules.

Mr. Raj Bahadur. It is expected that the Members of this house must have gone through the whole of the Criminal Law Amendment Act and prepared themselves fully to discuss its repeal or retention. It will, therefore, not be difficult to give their opinion on certain sections of it only.

L. Faqir Chand. I only want to know the rule. Whether a mover having given notice of a certain resolution can move an amended resolution in its place without previous notice.

Capt. M. N. Sardana. It will be nothing short of deception that after giving a notice for a resolution on the whole of the Act, a proposal is now put forward for the repeal of certain sections from it.

Mr. Raj Bahadur. I strongly protest against the use of the word 'deception'.

Capt. M. N. Sardana. (Continuing) This is just like asking a man to go and visit the whole of the State and when he has toured in Pahari, Sikri etc. he is asked to describe about Bharatpur Railway Station only. It is not at all justifiable that after having set us to wade through the whole Act, the resolution is sought to be amended with a view to repeal three sections only. We may not have cared to study these sections thoroughly, and therefore, may not be in a position to comment on these. The seekers of the amendment would have studied these sections alone while we were asked to study the whole Act. This is not fair and I therefore, strongly urge that the amended resolution should not be allowed to be admitted unless due notice of the same is given.

Mr. Raj Bahadur. I do not understand how the analogy put forward by Doctor Sahib is applicable to this case. If a man is asked to see the whole of the State, he is certainly expected to have visited the Railway Station and other places of interest. When notice was given for the repeal of the whole Act, it is expected of every member, who was interested in the proposal to have studied every word of it, and to be prepared to discuss every detail of it. I therefore, do not realise where the difficulty of the Doctor Sahib lies when it is suggested that only a portion of the Act will be taken up for discussion.

President. L. Baij Nath Prasad suggests that in Chapter III the words 'of a political character' be added, after the words 'public meeting' wherever these occur. Where is the phrase 'political character' defined in the existing Act and what does it mean?

L. Faqir Chand. I would request L. Baij Nath Prasad not to move his amended resolution now and take it up in the next session.

President. The easiest solution of this controversy would be that L. Baij Nath Prasad may move his original resolution and after it has been seconded somebody else may, if he so thinks fit, move the desired amendment, and then the matter could be decided in the usual way.

L. Baij Nath Prasad. (Agreeing to the above suggestion said) "To-day I am placing before you this resolution with the idea that it is good both for the public and the State. It is very important and you should all consider it carefully, thinking deeply on its necessity, and agree to my proposal. I again invite your attention to my words expressed in my reply to the speech made by the President, Council of State in the first session of this Committee. I had said that you have all come here as representatives of the public to consider over the good of the public and to wisely advise the Council of State relating to those matters. It, therefore, becomes our legitimate duty to place correctly before the Darbar all grievances of the public, so also matters of public

good and progress. The Darbar have given full freedom of thought and speech in this Committee and by so doing they want to know the actual troubles of the public. If we do not avail of this privilege here then we fail in our duty and our presence here is of no use. Now I move that the Darbar may be requested to repeal Criminal Law Amendment Act of 1937.

Gentlemen, no sensible man will consider it a wise step to enforce such an Act in a country or any part of it without sufficient and sound reasons and thus put an obstacle in the way of the advancement of its people. This Act was enacted in British India at a time when the revolutionary movement was at its height. But it was brought into effect only when mob violence in provinces like Bengal and the Punjab really demanded its enforcement. At one place attempts were made to shoot the Governor and at the other certain other high officers were shot. In Bharatpur, it is said to have been brought into force in order to check such occurrences. This view was expressed in the reply to my question but not a single instance of any incident has been pointed out as a result of which this Act may have been considered necessary to be enforced on us.

I fully believe that in place of fulfilling its stated object, the result of the enforcement of this Act has only been to give rise to agitation in the hearts of those who were yearning for civil liberties. These people have felt this Act as cumbersome. Besides this Act also gave a chance to the professional agitators to stir up their activities in the name of Praja Mandal.

By the grace of God no such occurrence ever took place in Bharatpur either before or after the enactment of this Act, which should have given any suspicion of a revolutionary nature. I am sure Bharatpur people will neither allow any outside revolutionaries to come in Bharatpur or let any of themselves become a revolutionary. In the circumstances I do not understand how far it is justifiable to restrict the liberty of the people of the State through this Act. This Act does not allow us to discuss any progressive measure even in our houses. This Act is all the more unnecessary when through the preachings of the great leader of the country, Mahatma Gandhi, the principles of non-violence have changed the views and faiths of those even who believed in attaining freedom for the country through violent and lethal means. As a result of this preaching the terrorists movement has altogether disappeared and the Governments of the Provinces where this movement lately existed are releasing the terrorists on assurance of adherence to the creed of nonviolence only.

Besides, the already existing laws in the State are quite adequate to check and suppress any revolutionary movement. If any man or a society commits an act, he or it can be punished under sections 108 and 124 A etc. The enactment of this Act which is known as "the black law" is the basis of the agitation here, and I believe that so long as it exists this agitation will not subside.

Is there any danger to public peace in the provinces or States in which this Act has not been enacted? False fears here only go to make the situation uncertain, while other States and Administrations are devoting their energies to the advancement of their people.

What is this Act? I would only draw your attention to certain sections of it. There would have been no objection to its enforcement in case of people committing or about to commit violence but in accordance with section 2 of the Act anybody can be arrested without a warrant even on suspicion, no matter whether he follows violence or not. Apart from it he can also be required to furnish security for good behaviour under section 3 of the said Act. Not only this, his property is also not free from danger. Anybody can be taken in custody for a period of two months on suspicion alone.

Although instances have not come to notice in which a police man might not have been allowed admission to a public meeting but still this law binds us not to check police encroachment in religious and communal meetings even, if he does wish to come in. Not only so much, any one who checks the policeman from going to such meetings even, is liable to be sentenced to six months imprisonment. It means that the police can force their entry even into private individuals' sittings in a house under the meagre pretext of calling it "a meeting."

According to this law sitting and chatting by ten persons in a house is prohibited. The religious institutions and societies which have existed for 50 years even, are, if not registered, unlawful according to this Act. All societies have therefore, to get themselves registered now. Societies dealing purely with religious and social affairs are to be treated as "unlawful" according to this law if these are not registered and their members may consequently be prosecuted or required to pay heavy fines or undergo a term of imprisonment upto 3 years. Any religious preaching can therefore, not also be done freely.

As I have already stated this Act has restricted the work of societies meant only for religious, social or communal reforms and an ordinary head-constable of police has the authority to force his entry in the meetings of the societies even, whenever he likes. Not only so much. He can arrest even respectable members of the society simply on "suspicion".

It can be easily judged what the effect of such an act is bound to be. To the ill-luck of the country, the people quarrel with each other on the excuses of religious fanaticism. In Bharatpur State, where party spirit is keenly in existence, it is natural that when one party is in power it tries its best to harm the other party. There have been instances in the past in this State that a party or religious fanatic coming in power harassed the other party or persons of other religion on the basis of the laws which existed previous to this Act. This has been clearly proved in the enquiries conducted by the State. In Bhusawar the police under the protection of this Act.....

President. You cannot refer to these cases, as these are still "*sub-judice*."

L. Baij Nath Prasad. Even at places where the enactment of this law was considered justifiable it was not made to have any effect on societies existing before it came into force. To extend its scope to such societies is to dishonour the proclamation of 1858 of Her Imperial Majesty Queen Victoria of blessed memory, as it restricts the religious liberty which the Queen promised. While at other places freedom of thought, speech and press is allowed, in Bharatpur restrictions are being imposed on spiritual and religious measures, through this act. In short religion is being tied in the bonds of law.

The primary rights of citizenship have also been snatched away by enactment of this Act. To restrict freedom of thought and speech goes to the extent of repression. Legislators have, therefore, never, without sufficient reasons, attached the rights of citizenship anywhere. In Bharatpur this does not seem to have been taken into consideration when this law was enacted. This seems to be the chief reason of the great discontentment in the public at present and as already stated this law is called as "Black Law". Such a law can never be conducive to the betterment of the people. Obstructions in the progress of the people are obstacles in progress of the State. In these days of advancement when every country is progressing the enactment of the law under discussion is to throw back the public in the race of advancement. His Excellency the Viceroy, who is the representative of our paramount power, has also advised that the people should be given facilities for their advancement. A number of advanced Indian States have, by giving liberty to their people, made them fit to render help to the Rulers in their Administration. Such States have the pride of excelling in administration even British Indian Provinces with Congress Ministries. Both the Ruler and the Ruled are advancing peacefully in such States.

Acts of agitation as we now hear were never heard or witnessed here before the enactment of this law. Far from revolutionary activities, people of Bharatpur did not even care to attend or join movements started in the country for attainment of political rights through non-violent means. The fruit that this law has yielded, is that peaceful citizens prefer today to break laws and go behind the bars. This Law instead of making people law-abiding has made them law-breakers. This has made the path of Maharaja's administration thorny, and I fear if this law is not repealed our innocent brothers in villages will also learn to wield this nasty weapon. This law has also taught people picketting of shops and houses etc. to those who had never heard of such things even. This law is therefore, leading the people on to a wrong path. On one side our President of the Council has told us of the liberty of speech and press to the public while on the other side it is proposed to continue to enforce this law. This is quite contradictory. How will the people of this State be able to place before the Administration their views regarding their advancement when under this law they shall not be permitted to express their free opinion by forming societies etc. They will also not be able, to make progress as is being achieved in other States and Provinces.

No complaint has been heard of any loss or damage to the interests of the public or the Government where such laws have been repealed. On the contrary, what to say of revolutionary activities, their preachings even have ceased in such provinces, and the Governors never felt the necessity of using their weapon of 'safeguard' by issuing ordinances. If this law is withdrawn from our heads, peace will again reign, and good-will will prevail between the Ruler and the Ruled, both of whom will then be able to use their energies and resources for their betterment. The present disturbance will also cease for ever.

I will request you in the end that if you will let the law continue, it will not be difficult for such people as are looking out for opportunities to prey on respectable people for the sake of filling their pockets through the agency of this law. In a poverty stricken place like Bharatpur where a man can be induced to give false evidence only on payment of a meagre diet it will offer no difficulty for the persecutors to avail of two false witnesses. Then again when the persons reporting about the speeches delivered at public places are not qualified enough to follow the true spirit and purport of a speech, it will not be a wonder if innocent people are entangled in the claws of this law. Had I made this speech, without writing it, in Bharatpur City even, a serious case would have been started against me, because this law is so strict that we cannot even discuss freely in societies etc. any measures which we sincerely believed to be for the betterment of the State. It is a pity that even in these days of advancement we are deprived of such rights. What to say of any thing else, we cannot even gather at a place to consider measures for the prohibition of gambling and drinking evils etc. Had any law been framed for the restriction of such evils we should have surely welcomed it. But it is a matter of sincere regret that laws are framed for the restriction of social, religious and spiritual liberty. We should, therefore, all combine together without distinction of caste and creed, to appeal to the State to remove such restrictions.

I have every hope that the Darbar will give a proof of their good-will and love for people, by repealing this Act which is the cause of the present unrest in the State.

Mr. Raj Bahadur. While seconding the resolution of L. Baij Nath Prasad, I wish to propose certain amendments to it.

President. Till a resolution is seconded, it is not before the House for discussion and therefore no amendments can be made to it.

Mr. Raj Bahadur. First of all I should assure you all that the present resolution which my friend L. Baij Nath Prasad has moved is, as far as I believe, not aimed to give a fillip to the unconstitutional agitation of the unlawful association known as the Praja Mandal. Nor does the resolution seek to stamp as lawful the activities of that association which are otherwise unlawful or even unhealthy. By getting this Act repealed we do not wish to give a long rope to the negligible minority of the State subjects which goes to compose the body, which unfortunately has mistaken license for liberty.

President. The house is discussing the Criminal Law Amendment Act and not the conduct of any particular society.

Mr. Raj Bahadur. (Continuing) What is sought to be conveyed to the authorities by means of this resolution is that for the condemned actions of a few hundred persons with a perverse mentality, restrictions and limitations contemplated under the Criminal Law Amendment Act of 1937 should not be imposed unnecessarily upon the five hundred thousand loyal and faithful subjects of His Highness the Maharaja Sahib.

The enforcement of the Criminal Law Amendment Act of 1937 is felt as disquieting, mainly because it is widely believed that even without this Act the law as already existing is strong and wide enough to deal with the activities of the recalcitrant section of the public which may be subversive of law and order and there is no occasion for huddling up needless restrictions and limitations upon the hitherto free liberties of law-abiding citizens of the State. For example section 124 A of the I. P. C. or 108 of the Cr. P. C. are sufficient to deal with the seditious or inflammatory speeches or speeches which tend to bring the Administration into hatred or contempt. Similarly there are other provisions of law which are enough to put down the petty agitators and preserve peace and order in the State. On the other hand the Administration has unfettered powers to declare any association unlawful even without this act, in its executive capacity.

One great set-back that has been effected in the elementary civil liberties of the people by this Act is that even such harmless bodies as religious and social associations of the people, apart from political ones, fall into its operation. Any such ordinary religious or social body in a village to fall into the definition of a lawful association has to undergo needlessly all the tedious process of registration.

From another point of view it may be safely submitted that unwelcome disorders and obviously avoidable unrest and heart-rendings have resulted wheresoever such like pieces of legislation have been brought into force. On the contrary the peaceful atmosphere of those States where no such enactments were made remained perfectly undisturbed and healthy. Jaipur is a glaring example of the former as Gwalior of the latter. Both are premier States and point out to a valuable lesson.

President. You had better omit mentioning names, as comparisons are odious.

Mr. Raj Bahadur. (Continuing) Then again it is common knowledge now that even those States which brought into force such enactments are repealing them and the elementary civil liberties of the people there are being recognised. There is no reason therefore, why Bharatpur should lag behind.

Is it not a pity that our neighbours ten or twelve miles beyond, enjoy all the civil liberties of free associations and free speech and we, but for the unwarranted actions of a few who seem to have gone astray,

should be deprived of what modern civilisation has recognised and permitted everywhere? Are we not men like them with faculties and feelings like theirs?

This denial of the civil liberties of the people by the enactment of the Criminal Law Amendment Act looks all the more appalling when we direct our attention to the repeated recognition by our esteemed President, Council of State, of the right of the people to free association, free speech and even valid and proper criticism of the Administration. Such benevolent gestures of good will on the part of the President, Council of State, and the existence of the Criminal Law Amendment Act of 1937 as an unrepealed Act are incompatible and irreconcilable opposites.

It is needless to add that all of us are against violence in all its forms—thought, word or deed—and would condemn those whose actions or words betray the least trace or tinge of it. But we have to convey to the authorities, what is widely felt by the public, firstly that even without the Criminal Law Amendment Act the law is wide and strong enough to cope with all dangers to public safety or peace or violence in all its forms, secondly that the Criminal Law Amendment Act of 1937 denies that quantum of civil liberties to the State subjects which are respected and recognised all over the world and lastly the denial of elementary civil liberties is an anachronism in the present era of progress and as such, detrimental to the healthy development and advancement of the people.

I think it is futile to conceal that with the enforcement of this Act a certain degree of disquiet and loss of mutual confidence between the public and the administration has resulted. Therefore in order to restore a spirit of confidence between the Ruler and the Ruled which is not only highly desirable but rather indispensable for an ordered progress of the State and its subjects, in order to dispel the gloom of unwelcome mutual distrust and in order to make people self-reliant and capable of realising and respecting their own responsibility in public life also their obligation to the Darbar, it is expedient that the Criminal Law Amendment Act of 1937, which is looked upon by the public with suspicion, nay even chagrin, be repealed forthwith.

I therefore, second the resolution of L. Baij Nath Prasad and hope that the members of this Committee will vote in favour of the same.

Capt. M. N. Sardana. There is an old English saying:—

“Heights by great men reached and kept,
Were not attained by sudden flight,
But they, while their companions slept,
Were toiling upward in the night.”

It means that in order to make progress we must make gradual advancement and should not think that we can reach the top with one jump. We must congratulate the Darbar for the wisdom shown by them in enacting this law. This precautionary measure has nipped many evils in the bud. If we should have left matters to the already

existing laws, that would have been just like not checking a man when he is going with a torch in his hand to set fire to a house, but wait for the time till he actually had committed the crime. It is always better to check a man aiming with a gun before he can put his hand to the trigger, for once he has done so, it will be but too late to make amends. The Criminal Law Amendment Act does not restrict our liberty as has been alleged. It has never been the intention of the State that the people should not get the freedom they deserve. Authorities are themselves taking steps towards that goal. None of us could say a year before that there would be a Central Advisory Committee and that all of us would be called here to discuss matters of public utility. As for the instance of Muttra and Agra I may say that similar laws were enacted there too and were repealed later on. I should advise you not to grudge the people of British India. We should only consider how far we are fit for those advancements. No-body can climb to the top of a house without going on the steps of a ladder. By trying to jump suddenly you will not be able to make any progress but there is every likelihood of your falling down. It is strange that the measures which are adopted for checking you from falling down are mistaken to be restrictive measures. I will, therefore advise you to move slowly and steadily on the path of progress.

Hakim Abul Hassan. I second the views expressed by the Doctor Sahib.

Th. Sher Singh. What I can infer from all these long long speeches is, that whenever the authorities consider it necessary to watch our movements, they depute Police for the purpose. I do not think the attendance of a policeman, in a meeting, deprives us of our freedom. He gives us no trouble. If a policeman comes let him do so. We do not want to bother ourselves over such petty affairs. Besides restrictions on Panchayat existed even before the Act came into force.

Mr. Raj Bahadur. With your permission.....

President. Please refer to rule 14 of the Rules for the conduct of business. According to that every member can speak only once.

Mr. Raj Bahadur. The rule authorises a member to intervene during the course of discussion.

President. That means you could have raised a point of "order" during the course of a speech if Section 14 of the Constitution entitled you to do so.

Mr. Raj Bahadur. The words are intervention during the course of discussion. I therefore, solicit your ruling on the point.

President. The recognised procedure is that every member can speak once only but under the circumstances mentioned in Rule 14 he can intervene for the specific purpose mentioned there. He cannot make a second speech. In view of the importance of the subject matter I would, as a very special case, allow you to say what you wanted to.

Mr. Raj Bahadur. The Doctor Sahib has laid much stress on the point that one should not try to ascend suddenly to the top but should go step by step. This means that we should make slow progress towards advancement. What to say of slow or fast when this Act greatly restricts our freedom of association even. We can not even hold our religious meetings at our private places without the fear of police intrusion. The Doctor Sahib's argument that by repeal of this Act, we shall be making a backward progress, is not at all intelligible. I do not know why we should not clamour for the grant of the rights which are enjoyed by people only 10 miles away. We have the same soul, spirit and energy as they have. We therefore, desire that our forfeited privileges should be restored to us. I would draw the attention of Doctor Sahib to section 8 (ii) of the Act, and would like to know how the words 'public meeting' therein are interpreted. This clearly means that our private places even are not free from Police intrusion.

President. Public meetings as distinguished from private meetings, are those in which members of the public can join. Admission may be regulated by passes or special invitation. Our meeting here is also a public meeting but visitors are admitted by passes as we have not enough accommodation for an unlimited number. It is not correct to say that police can go even in the houses where a number of men may be chatting. The police can watch proceedings in private houses only if a public meeting is being held, which is quite a distinct thing from the interpretation which you have put on the matter.

Mr. Raj Bahadur. (Continued) Public meetings are of various sorts—religious, social and political etc. The intrusion by police in our religious meetings certainly restricts our religious liberty. When meetings are convened in temples or mosques only for religious purposes and for religious preachings I do not see what the necessity of the police man's going there is. But it has been invariably seen that the Police do go there.

President. Since when ?

Mr. Raj Bahadur. (Continuing) This only goes to lessen the affection of the public towards the administration.

Doctor Sahib's analogy that we should not wait till a man has actually set fire or till the gun has been fired are not at all relevant. Attempt to commit a crime is as much punishable by law as its commitment. The man attempting to set fire can certainly be prosecuted under section 511 I. P. C. and arrested before he can do any mischief. As for firing a gun, its unauthorised possession even is a crime what to say of allowing the owner to pull the trigger. I only wish to emphasise that the existence of this law is a source of disaffection between the Ruler and the Ruled and it should therefore be repealed as soon as possible. As for meeting the exigencies of controlling speeches etc. which may tend to bring about unlawful activities, section 124 A I. P. C. is quite ample and renders the Criminal Law Amendment Act rather superfluous.

Subedar Major Chiranji Singh. I have been having feelings surging high in my mind but have been hesitating to express them. I have however resolved to say what I think of the matter. Is there no law in the whole I. P. C. to authorise the State to make arrests and is that the reason for enacting this new Law? Arrests can certainly be made under the I. P. C. and anybody interfering with the work of the State officials could be dealt with under section 332 I. P. C. In the presence of the laws which already existed there was absolutely no necessity for the enactment of a new law, and it should therefore be repealed.

L. Durga Pershad. This law should be repealed atleast to the extent it is applicable to religious and social activities, and may continue as it is for political matters.

The Resolution given below was then put to the vote and lost by 2 to 26 votes.

"This Committee humbly advises the Darbar that the Criminal Law Amendment Act of 1937 be repealed."

L. Baij Nath Prasad. This resolution too is of great importance. You know that for want of education, India is very backward as compared to other countries in which you will find that cent per-cent people are educated and educated to a high standard. This is the reason why they have advanced. In Bharatpur however, the masses have not the knowledge even to read their letters. This is the reason why men like ourselves could be obtained for the Central Advisory Committee after a thorough search only. We must now shoulder the responsibility of doing our best for the good of the public of this State through the agency of this Committee. We can feel want of education more readily than anybody else because we find ourselves wanting in that.

Recently 'An Adult Literacy Month' was observed by the Municipal Board, Bharatpur and it is a matter of great satisfaction that this effort has done a good deal in making a number of persons literate. If the State continues to evince interest, as is being done in other provinces and several Indian States, then I am sure all the Bharatpurians will be literate in a short time atleast to the extent of their being able to do their necessary routine work of writing letters, reading newspapers and keeping their private accounts. They will thus be relieved from many of their present day difficulties. I therefore, move that

"the Darbar may be requested to appoint a Committee of officials and non-officials to propose measures with a view to make the general public literate within 3 years."

L. Nathi Lal. I second the resolution of L. Baij Nath Prasad.

L. Panni Lal. L. Baij Nath Prasad has proposed a term of three years which I think is very short. I therefore, move an amendment that this term should be "five" years.

L. Durga Pershad. I second the amendment of L. Panni Lal.

Th. Chiranji Singh. After receiving education all persons will leave their professions and will come round in search of service. I there-

RESOLUTION No. 18.

Appointment of a Committee of official & non-officials to chalk out a scheme of education to see the general public literate within 3 years.

fore, move that the already existing unemployed educated persons in the State may first be provided and then alone others may be educated.

Th. Jiwan Singh. I second the amendment of Th. Chiranji Singh.

This amendment was put to vote and unanimously lost.

The amendment of changing the period of securing literacy from 3 to 5 years was then put to vote and carried unanimously.

Lala Faqir Chand. I appreciate the noble idea of my friend L. Baij Nath Prasad which he has expressed on the subject of literacy. But I may say that it is not only difficult but impossible to make 5 lacs of people literate within 5 years. If his scheme were to be brought in effect it would require an enormous expenditure of about Rs. 19 lacs. I do not see the wisdom of wasting such a large amount only with the idea of making people learn alphabets or to make them sign their names instead of putting down their thumb impressions. I think the proposals involve a sheer waste of public money. Persons having a meagre knowledge of alphabets or who are just able to write their names cannot be of any use to the society or the country. In Congress Provinces too this movement was started with a great vigour but the result was nil and therefore, the Congress Governments too did not think it proper to invest any money in this scheme. They have extended their lip sympathy only. If my friend desires the same kind of help, we shall be only too pleased to give it, but we do not think it proper to advise the State to spend the huge sum I have mentioned. The training to be given to the masses should be such as may be beneficial to them, to the society and to the country. It would therefore, have been better far if instead of this resolution, my friend would have asked for the introduction of the "Wardha Scheme of Education" in place of the present system of education. The schools should teach agriculture and industries so that after finishing their school career, our children may not be a mere burden to the society and may be able to earn their livelihood themselves. I therefore, propose an amendment that a Committee of official and non-officials be appointed to submit proposals for the introduction of the Wardha Scheme of Education in our schools, as early as possible, say within 3 years, also that adults should receive necessary training in their own professions for which purpose schools may be started where necessary."

Ch. Azmat Khan. I second the amendment of L. Faqir Chand.

President. Lala Faqir Chand's proposal is not an amendment but substitution of a resolution by another. Whereas L. Baij Nath Prasad wants mere "literacy" the former wants "education".

L. Baij Nath Prasad. My resolution is to make the general public literate so that they may be able to read and write.

L. Faqir Chand. We want an education which may enable us to earn our livelihood.

President. It will be better if these two different ideals are not mixed up. L. Faqir Chand could move a separate resolution if he so desires.

Mr. Raj Bahadur. I want to know how L. Faqir Chand has arrived at the figure of 19 lacs, which he says will be required to make the public literate. It is also to be enquired whether the scheme commended by him is in opposition to the resolution of the mover or it is an amendment to the same.

L. Faqir Chand. I do not know why you should take every proposal of mine to be in opposition. As regards figures to educate a population of 5 lacs we will require atleast 6,000 teachers and if we pay them at Rs. 10/- each it will cost Rs. 60,000.

President. Even then the total expenditure for 3 years comes to 1,80,000 only. (laughter).

L. Faqir Chand. Sorry. I meant 10/- rupees per mensem.

President. That will carry you somewhere approximately near your mark.

Subedar Major Chiranji Singh. We must first see whether the State can spare so much money.

Bakhshi Raghunath Singh. There are a number of teachers in schools in villages, who are sitting idle for want of pupils. I therefore, do not see wherefrom the boys will come if more teachers are engaged. Then again we do not want our boys to be made much literate, as they will leave their profession as soon as they know reading and writing.

Ch. Azmat Khan. The State has already made adequate arrangements for elementary education. I do not know why you are beating about the bush and why you do not put forward your actual requirements. I would suggest that two High Schools may be established one at Dig and the other at Bayana and a degree College may be started at Bharatpur.

Subedar Major Chiranji Singh. We have amongst us the Director of Public Instruction of the State who is the head of the Education Department. He may kindly favour with his views.

R. S. M. Jugal Behari. I do not want to say anything here without consulting my officers to whom alone I can report if required.

President. I hope you know that you have been nominated for the express purpose of giving advice to the house whenever needed.

The amendment proposed by Ch. Azmat Khan was not seconded and thus lost.

The resolution of L. Baij Nath Prasad as amended by L. Pannilal, as given below, was then put to vote and carried by 16 to 12 votes.

"This Committee humbly recommends to the Darbar to appoint a committee of officials and non-officials to propose measures with a view to make the general public literate within 5 years."

President. The business on the agenda has been finished. The meeting is adjourned till 4-15 P. M. when resolution No. 9 which has been referred back by the Council of State will be taken up. The President, Council of State, with the Members of the Council will arrive at 5 P. M. and would address the house.

Proceedings of the afternoon Session of the Committee.

President. L. Nathi Lal will please read his resolution No. 9 referred back by the Council of State.

RESOLUTION No. 19.
Revision of procedure
for investigating offences
against the Customs
Rules.

L. Nathi Lal. "The Council are not prepared to grant offenders an unqualified option to have all Customs cases tried by Judicial Courts, but they agree that smuggling cases involving penalties of more than Rs. 10 may be heard by the Judicial Courts if the offenders so wish. The Council direct that the Resolution with these remarks may be referred back to the Central Advisory Committee for further consideration." I propose that the option for trial by Judicial courts should be allowed to all offenders in cases in which the maximum penalty under Customs Rules is Rs. 10 or more.

L. Faqir Chand. I second the proposal.

L. Kundan Lal, Deputy Collector, Bharatpur. It means single duty of Re. 1 only.

L. Nathi Lal. Yes, I mean that.

L. Kundan Lal. This is low it should atleast be Rs. 5 single duty.

Pt. Kaila Bakhsh. I agree with the Deputy Sahib.

The proposal of L. Kundan Lal was put to the vote and lost unanimously.

The proposal of L. Nathi Lal was put to vote and carried unanimously. The Committee therefore adopted the following resolution:-

"With reference to Resolution No. 9 of this Committee which has been referred back to it by the Council of State, this Committee humbly recommends that since the penalty in smuggling cases can amount to ten times of the single duty, the option for trial by Judicial courts may be extended to all offenders in cases in which the single duty exceeds Re. 1, i. e. the maximum penalty exceeds Rs. 10."

President. There are two more matters which I would wish to bring to the notice of the house. The first is that L. Baij Nath Prasad handed over yesterday to me two applications on behalf of certain Bhusawar people. These relate to the incidents that took place there on 11th August 1939. According to Rule 6 of the Business Rules these cannot be taken into consideration as in the first place the matters relate to individuals and secondly the cases are still 'sub-judice.' Yesterday, one member withdrew his resolution about Deeg affairs on the last ground, and I think it will be a salutary convention for the house to follow in the future.

Lala Faqir Chand. Does the matter referred to in the applications not concern the whole of the public.

President. No.

The second point is that as desired in Resolution No. 12 of this house, I nominate the following ten persons to the committee to be formed for examining the feasibility of framing legislation to control unnecessary and extravagant expenses on the occasion of marriage and death ceremonies :—

Mr. Raj Bahadur.

Convener.

L. Baij Nath Pershad.

Chaudhri Sardar Singh.

Lala Faqir Chand.

Chaudhry Sammeey Singh.

Bakhshi Raghunath Singh.

Thakur Maharaj Singh.

Hakim Abul Hassan.

Th. Chiranji Singh. (Kunher)

Chaudhri Umrao Khan.

The President, Council of State, with the members of the Council and his Personal Assistant, arrived at 5 P. M. He was received by the President of the Committee. He then delivered his speech which is reproduced below. Afterwards the Personal Assistant read its translation in Hindi.

Arrival of the President
Council of State.

**SPEECH DELIVERED BY SIR RICHARD
TOTTENHAM C. S. I., C. I. E., I. C. S. President,
Council of State, on 26th August 1939, at the Central
Advisory Committee Meeting.**

Gentlemen,

As I survey the situation today I see many troubles and difficulties around us. In Europe the great nations seem to be on the brink of a war which, if it breaks out, must be disastrous to the whole world. In India there are political troubles, and in many parts of the country there are prospects of severe famine and great distress. In Bharatpur we have our own difficulties which I shall come to later; but I mention these things because it seems to me that now, if ever, is the time for the people of Bharatpur and the authorities who are responsible for governing them to work together in close cooperation with each other. Our own troubles in Bharatpur are not so great as those outside, but in the face of these greater troubles, surely there is no room for petty differences of opinion between us. Let us all work together for the good of the State and our Maharaja.

In Bharatpur itself the season has been very disappointing, but it might have been worse. Conditions are certainly better than in many other States of Rajputana, such as Alwar, Jaipur and Jodhpur, where there has been very little rain. In parts of Kaman, Pahari and Nagar tehsils, I know that the rains have failed and some distress is inevitable. But even there the position is not yet desperate. There may be scarcity of fodder and food grains in those parts, but I think that the deficiency can be supplied from our own resources in other parts of the State. I hope you will agree that the Council of State are acting wisely in continuing the embargo on the export of fodder, even though certain zamindars, who may have more than enough for themselves, might get a good profit by selling the surplus outside the State. In my opinion we shall require every bit of fodder that we can produce. The Council of State propose to make as much hay as possible, and as quickly as possible, in the State Rundhs. In some of them there have been fairly good rains. After the hay crop has been removed, it may be possible, if necessary, to throw these Rundhs open for grazing on favourable terms. It may also be possible, if necessary, to allow cattle from the north of the State to graze in certain forest areas in the south where there is a fair supply of grass. Meanwhile, I have noticed that in certain parts of the State there are supplies of fodder which are more than sufficient for the immediate requirements of the village cattle. My advice to the zamindars in those parts would be to save and store as much fodder as they can. It may be very valuable later on. In addition, the Council

of State may also find it necessary to restrict the export of certain food grains and possibly, to regulate prices. In the last resort it may even be necessary to start some kind of public work to give wages and employment to people. In any case, whatever steps we may find it necessary to take, we shall always welcome the advice of the Central Advisory and Tehsil Committees. I would only ask that that advice should be given with a due sense of responsibility in the interests of the State as a whole, and not merely in the interests of one particular part of it.

Before turning to other matters I should like to say a few words about your own work. You have passed a number of resolutions recommending that the state should do this or that. We have gone so far as we can to accept those recommendations, and you may perhaps be anxious to see more in the way of practical results. I would ask you not to be too impatient. Some of the things you want us to do cost money; and, much as we should like to do then, we have not got sufficient funds at present. Others are bound to take time. I can assure you that they are not being overlooked. And one word of advice. Do not put too much trust in committees to examine big problems. Committees may be useful in certain circumstances, but often they are only convenient excuses for delay, and there are subjects which no committee in the world can settle, even if the committee does contain a non-official majority.

And now I must say a few words about our own political troubles. Since we last met, we have had a regular campaign or civil disobedience in the State; and the Council of State have been compelled, much against their will, to take action against a number of State subjects. The results of that campaign have been exactly what I told you they would be. It has produced a certain amount of hardship to the people; it has involved a considerable amount of extra expenditure, which could have been devoted to much more useful objects and every anna of which has had to come out of the pockets of the people in whose interests the movement is said to be directed; it has given a lot of extra work to the servants of the State; and, so far as I can see, it has done no good whatever to any single person.

I am glad to hear that you have recognised by your resolution today on the subject of the Criminal Law Amendment Act that this measure, much as we regret the need for it, is still necessary. I can assure you that it is not intended to curtail the liberty of the subject, and that it will be used, as it has been used, only in the last resort where liberty has degenerated into licence and has taken the form of direct defiance of authority and attacks on the Administration. That we are not a repressive government opposed to any measure of popular reform is, I maintain, clear from our past record and from the statement of policy contained in our Notification of August the 11th. I would ask you all to read and study that Notification carefully, if you have not already done so. You will see that we are ready to work, and if neces-

sary to improve this system of the Advisory Committees in the best interests of the people. We have also shown by registering the Praja Sahayak Sabha our readiness to recognise a popular association which will work loyally and on constitutional lines for the redress of genuine grievances. We should prefer to have *one* such association for the whole of State, and not a number of rival associations representing particular classes or particular communities. If the Praja Sahayak Sabha can itself, be improved and expanded to become an All-Bharatpur Institution including all shades of popular opinion, we should have no objection to that. What we cannot accept is an association of misguided persons whose declared aim is to reduce unreasonably the revenue of the State and to curtail the powers of its Ruler, and whose methods in pursuing those objects have departed so deplorably from the constitutional path and from the canons of truth and non-violence in thought, word and deed. Surely, as I said at the beginning of this address, it is time that this sort of folly should cease and that the public of Bharatpur, whom you gentlemen represent, should show in no uncertain manner that they are prepared to work with, and not against, the Administration in a common endeavour to meet and surmount the difficulties that lie before us.

President. The Session is now adjourned till Shri Jaswant Cattle Fair & Exhibition. Due notice regarding the exact date will be given later.

